UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/54/532
S/1999/1142
5 November 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Agenda item 50
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

SECURITY COUNCIL
Fifty-fourth year

Identical letters dated 5 November 1999 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I have the honour to enclose herewith a note verbale dated 5 November 1999 from the Ministry of Foreign Affairs of the Islamic State of Afghanistan and two texts appended to it.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 50, and of the Security Council.

(Signed) A. G. Ravan FARHÂDI
Ambassador
Permanent Representative

Annex

Note verbale dated 5 November 1999 from the Ministry of Foreign Affairs of Afghanistan addressed to the Secretary-General

The Ministry of Foreign Affairs of the Islamic State of Afghanistan presents its compliments to His Excellency the Secretary-General of the United Nations and has the honour to present herewith an editorial entitled "Murderous Taliban must not be appeased", by Agence France Presse, dated 3 November 1999 (appendix I) and a news report entitled "Afghan rulers drive 130,000 from homes", dated 20 October 1999, in The Guardian (London) by Barry Bearak (appendix II).

Appendix I

Editorial entitled "Murderous Taleban must not be appeased", by Agence France Press, dated 3 November 1999

IN about two weeks (Nov 19), the United Nations will impose sanctions on Afghanistan's ruling Taleban militia if suspected terrorist Osama bin Laden is not turned over for trial in the United States.

The US government maintains that bin Laden masterminded the twin bombings of its embassies in Kenya and Tanzania last year and wants him deported. The Taleban, which acknowledges the Saudi exile is living in their country, has so far refused to surrender him, citing the lack of an extradition treaty with Washington and an Islamic court hearing that cleared him of any connection to the bombings.

At the same time, the Taleban, which controls 85 per cent of Afghanistan but does not hold a UN seat because of opposition from the US and other countries, has said it is willing to discuss the issue with Washington and made it clear it wants to improve relations with the rest of the world. Over the weekend, bin Laden said he was ready to leave Afghanistan if a sanctuary could be found, suggesting he fears his future is no longer secure in the country.

As evil as bin Laden may be, the UN needs to be wary about offering too much in the way of diplomatic recognition to the Taleban. Since they began their unstoppable march to power in mid-1995 the Taleban have shown themselves to be one of the most viciously repressive regimes in the world. Any deal that surrenders whatever leverage the UN has to use on the Taleban for the sake of bringing one suspected criminal to justice would be a poor trade. Bin Laden is blamed for a handful of terrorist acts. The Taleban has instituted a reign of terror over an entire population.

It is easy to understand Washington's anger and determination to have bin Laden arrested. Its efforts to capture him, take military action against his hideouts, or isolate him internationally have so far ended in frustration and, in the case of the US air force's bombing of a Sudan chemical factory, the deaths of apparently innocent people.

The attacks allegedly plotted by bin Laden are the worst kind of terrorism: blind, senseless crimes of hatred that achieve nothing other than darken the name of Islam. In the embassy attacks, bin Laden's bombers killed hundreds of innocent Africans and a handful of low-level American foreign service workers. Still, his record of destruction pales compared to that of the Taleban who have seized control of a war-ruined country and taken it back 600 years into a medieval nightmare.

They have assassinated political opponents inside and outside the country, isolated the population from the outside world by banning all radios and televisions, and set about destroying all non-Muslim monuments in the country. Their strict interpretation of Islam has been particular hard on women and girls, who cannot leave their homes without a male guardian to accompany them. They are not permitted to work or go to school. They are forbidden from seeing male doctors and as a result women and girls are dying in droves from untreated diseases. Any resistance to the Taleban has been met with savage beatings, mutilations, abductions and murder. Civilians have been shot for being

caught with alcohol and yet at the same time Afghanistan's opium trade has flourished under Taleban rule.

Militarily, the militia have committed excesses in a country that has been little more than a battleground for ruthless warlords for the past two decades. In July, after suffering a military setback at the hands of the forces of Ahmad Shah Massoud, their sole remaining opposition, the Taleban militia went on an ethnic-cleansing spree in the Shamali Valley just north of Kabul. Entire towns in the predominantly Tajik and shi'ite areas were levelled, military-aged males were killed, livestock machine-gunned, fruit trees sawn down, and irrigation canals blasted.

The offensive against the civilians sent some 65,000 new refugees to join the 130,000 estimated to be living outside and near Kabul. With winter closing in, a humanitarian crisis is building and yet aid agencies have found nothing but obstructions in their dealings with Taleban leaders.

The capture of bin Laden is an emotional issue in the US and the world would undoubtedly be a safer place if he was locked away. But the UN needs to remain tough in its dealings with the Taleban. The world body has failed miserably in trying to bring peace to the country over the past 21 years and Secretary-General Kofi Annan's latest special peace envoy to the country quit just last month, saying the situation was hopeless.

Much needs to be done to help Afghanistan. Whatever power the UN has to sway the Taleban to improve its appalling human rights record should be used judiciously. For the UN, the issue should be one of priorities.

Appendix II

Afghan rulers drive 130,000 from homes

The Guardian (London), 20 October 1999

The Taliban, who want a UN seat, have been killing and burning in their own land

Barry Bearak in Bazarak, eastern Afghanistan

Those who only had their houses burned or crops destroyed often apologise because their story is not bad enough.

They feel sheepish about complaining, so they lead the way to the worse off, the irretrievably broken or the unbearably sorrowful: the children whose parents were killed before their eyes, or men whose wives were carried off screaming.

Or the old woman whose story no one is sure of, who has been sobbing now for two months, fingering a red flower embroidered on a pink cloth.

This is the human wreckage left behind by the binge of blood lust and mayhem unleashed this summer by the Taliban militia who rule Afghanistan, and thousands of Pakistani followers lit with the fervour of supposed jihad.

Killing wantonly, emptying entire towns, machine-gunning livestock, sawing down fruit trees, blasting apart irrigation canals: the destructive spree by the militia is described in consistent detail by witnesses.

Among the survivors are an estimated 65,000 refugees who have escaped to the Panjshir valley, a nape of land nestled in the Himalayan peaks of the Hindu Kush. Huddled in makeshift tents of cloth and plastic, relentlessly foraging for firewood, they are free for now from their tormentors but not yet safe from the furious winds and snows of winter.

The Taliban began their summer offensive in northern Afghanistan on July 28, trying to conquer the only part of the country outside their control.

Their main drive was into the Shamali valley, just north of the capital, Kabul. At least 6,000 soldiers rolled through towns and villages in what survivors call a well-coordinated assault supported by tanks, artillery and air bombardments.

Within a week the Taliban were celebrating victory, only to be stunned by a night counter-attack by opposition forces under Ahmad Shah Massoud.

The Massoud forces ambushed and killed hundreds, perhaps more than 1,000, of the Taliban, who went on to suffer even more losses in a disorderly retreat, according to reports. But much of the territory recovered was already in ruin.

Dozens of refugees from Guldara, Bagram, Saraykhoja, Karabagh and other towns to the north of Kabul, interviewed independently, told much the same story: people shot in their homes, fires everywhere, beatings.

"Why did they have to kill my cows and goats, and why cut down the mulberry trees and stomp through my garden?" said Mohammed Kasim, 59. He is now a refugee in the eastern town of Bazarak. His home is a tent of thin blankets held up by branches.

Nafas Jon, 45, a gaunt, tired woman with six children, has taken sanctuary with 1,000 others in Bazarak's decrepit little school. "The Taliban took my husband out of the house and cut him down," she said.

"They were killing everyone who looked young, thinking they must be soldiers. I screamed then, and I cry now. We have nothing left.

"We returned once to see our house," she said, pausing a few seconds to frame the memory in her mind. "The ceiling is now on the ground."

To the victims, the purpose of the Taliban's summer offensive was obvious. The militia is largely made up of ethnic Pathans; they wanted to rid the area of ethnic Tajiks, whose resistance to them has been steadfast, and to leave their enemies with nothing.

Taliban leaders say that their campaign was to save a populace living in constant danger because Commander Massoud's forces, the so-called United Front, used the towns to launch attacks.

To "save" the citizenry, the Taliban forced most to flee; others were trucked to Kabul or the eastern city of Jalalabad.

About 12,500 people — more than 8,000 of them children — are living in the compound of the closed Soviet embassy in Kabul, the UN says. A Massoud official says more than 2,000 Tajik men are locked in the stone caverns of the Pul-i-Charki prison in the city.

There are estimated to be 130,000 refugees in all, the largest concentration in the Panjshir valley. With fighting still going on, the extent of the death and destruction is impossible to measure. Individual accounts are, however, supported by the uniformity of their particulars.

Mohammed Wali, a round-faced boy of 10, poked his head through a crowd to call, "They shot my father, and I saw it."

There had been a hard knocking on their door. His father nervously walked to the gate. Men outside fired Kalashnikovs. With his father dead, he ran inside as fast as he could. His mother, he said, "needed to know about it right away".

Shakar Gul sat on a rock with her arms around her nephew Gules Tan, 3. "His father was killed, and his mother was taken away. He cries out, 'Where is my mother?' We tell him she has gone away but will come back. In time, God willing, he will forget her. *New York Times*

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/1143
8 November 1999

ORIGINAL: ENGLISH

LETTER DATED 4 NOVEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to protest the decision of the Secretary-General's Special Representative in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, to adopt regulation 1999/10 rescinding the implementation of tenancy and property laws of the Republic of Serbia in that Serbian province, regulation 1999/11 by which the United Nations Mission in Kosovo (UNMIK) takes over the operation of the payment transaction service, regulation 1999/12 establishing a separate post, telephone and telegraph (PTT) company and regulation 1999/13 approving the establishment of non-banking microfinancial institutions. The adoption of these regulations is the most recent example of flagrant violations of Security Council resolution 1244 (1999) of 12 June 1999.

Regulation 1999/10 rescinding the implementation of tenancy and property laws of the Republic of Serbia puts additional pressure on Serbs and other non-Albanians of Kosovo and Metohija to sell their property and is a function of the continued ethnic cleansing of the non-Albanian population of Kosovo and Metohija. Regulation 1999/11, by which UNMIK takes over the operation of the payment transaction service, suspends in an unlawful way the exclusive competency of the sovereign State organs of the Republic of Serbia and the Federal Republic of Yugoslavia. Regulation 1999/12 establishing a separate PTT company is illegal because the Federal Republic of Yugoslavia, as a State member of the international PTT organization and the International Telecommunication Union, is the only competent entity to carry out telecommunications in its territory.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-33412 (E) 081199

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/1144
8 November 1999

ORIGINAL: ENGLISH

LETTER DATED 5 NOVEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to inform you that, at its session on Thursday, 4 November 1999, chaired by Prime Minister Momir Bulatovic, the Government of the Federal Republic of Yugoslavia adopted a memorandum on the implementation of Security Council resolution 1244 (1999), a copy of which I sent to you under cover of a letter addressed to you dated 3 November 1999 with a request that it be distributed as a document of the Security Council (S/1999/1124, annex).

In adopting the memorandum, the Yugoslav Government stated that the memorandum noted that the security and overall situation in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, after the deployment of the international security and civil presences, was characterized by mass terror against Serbs and other non-Albanians.

The murders of 447 Serbs and members of other ethnic communities, the abduction of 648 persons and the expulsion of over 330,000 Serbs, Montenegrins and other non-Albanians from the province are a direct result of the irresponsible and indolent attitude of KFOR and the United Nations Mission in Kosovo (UNMIK), in particular the Special Representative of the Secretary-General, Bernard Kouchner.

As the Federal Republic of Yugoslavia has fully honoured all its commitments set out in Security Council resolution 1244 (1999) of 10 June 1999 and other relevant documents, the Government demands that all other factors, above all KFOR and UNMIK, also honour their commitments fully and without delay. This is a precondition for realizing the fundamental goals and tasks of the international presences in Kosovo and Metohija, whose framework is clearly defined by the above-mentioned resolution.

Out of respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia as set out in Security Council resolution 1244 (1999), the Yugoslav Government will not recognize KFOR and UNMIK decisions that are not in line with the said resolution. Yugoslavia, as a sovereign country and a United Nations Member State, has willingly accepted the deployment of international forces under United Nations auspices in its territory, but insists that the Security Council ensure the full respect of its sovereignty and

territorial integrity and take measures set out in its resolution 1244 (1999) in that regard.

The Yugoslav Government insists that all illegal regulations and decisions of the Special Representative of the Secretary-General violating the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, such as the introduction of a separate currency and customs duties, the arbitrary appointment of judges, the opening of the Pristina airport for civilian flights, etc., be nullified. It also demands that all illegally seized State, public, social and private property be returned to its legal owners. The Yugoslav Government reiterates its demand that, in line with Security Council resolution 1244 (1999) and the Military-Technical Agreement (S/1999/682, annex, enclosure), the Yugoslav army and Serbian police forces be enabled to return to Kosovo and Metohija in order to pacify the security situation in the province and prevent the exodus of the remaining Serbs and other non-Albanians.

The Yugoslav Government firmly demands that the document on the transformation of the self-styled Kosovo Liberation Army (KLA) be nullified, that the KLA be disarmed immediately, unconditionally and fully and that its leaders who are accountable for mass crimes and systematic ethnic cleansing be brought to justice.

The Yugoslav Government also demands that the Security Council guarantee the free and safe return of all Serbs and other non-Albanians expelled in the campaign of ethnic cleansing since the arrival of KFOR and UNMIK in the Serbian province. It demands that all foreign nationals who have entered the territory of the Federal Republic of Yugoslavia illegally be expelled.

The Yugoslav Government reiterates its demand that a comprehensive agreement be signed between the Federal Republic of Yugoslavia and the United Nations on regulating the status of the international presences under United Nations auspices in Kosovo and Metohija and on establishing a committee to monitor the implementation of Security Council resolution 1244 (1999) and other relevant documents.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.